

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

UNITED STATES OF AMERICA, ET AL.,		CASE NO. C-1-02-107
Plaintiffs,)	
and)	
SIERRA CLUB, ET AL.,)	Judge S. Arthur Spiegel
Intervenors,)	
v.)	
BOARD OF COUNTY COMMISSIONERS)	
OF HAMILTON COUNTY, OHIO, ET AL.)	
Defendants.)	

**SIERRA CLUB AND MARILYN WALL'S MOTION
FOR ATTORNEYS' FEES AND COSTS**

The Sierra Club and Marilyn Wall respectfully move this Court, pursuant to 33 U.S.C. §1365(d), for an award of costs incurred, including reasonable attorneys' fees, in relation to their Clean Water Act ("CWA") citizen suit and in relation to their intervention in the United States and State of Ohio's suit against the Hamilton County MSD. As detailed in the attached memorandum in support ("Sierra Club's Petition for Attorneys' Fees and Costs"), the Sierra Club and Marilyn Wall are prevailing or

substantially prevailing parties and, as such, are entitled to attorneys' fees and costs in the amounts and to the entities set forth in the attached Petition.

Respectfully submitted,

/s/ D. David Altman

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CERTIFICATE OF SERVICE

I hereby certify that on August 10, 2004, a copy of the forgoing Sierra Club and Marilyn Wall's Motion for Attorneys' Fees and Costs was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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